



02/11/07

HIGH COURT OF CHHATTISGARH : BILASPUR

Before: Hon'ble Shri Dilip Raosaheb Deshmukh, J.

Second Appeal No. 455 of 2007

Appellant : Ramdayal, S/o Raghuwar, Aged about
Defendant 55 years, Occupation : Agriculturist, R/o
Kutela, Tahsil : Sarangarh, Distt -
Raigarh (C.G.)

Versus

Respondents : 1. Smt. Shukwara, Wife of Chandrahaas
Plaintiffs Manikpuri, Aged about 50 years,
Occupation : Agriculturist, R/o Village
Baghanpur, Tahsil : Sarangarh, Distt-
Raigarh (C.G.)

: 2. The State of M.P. now Chhattisgarh,
Through : The Collector Raigarh (C.G.)

SECOND APPEAL UNDER SECTION 100 OF CIVIL PROCEDURE CODE

Present: Shri U. R. Koshley, counsel for the appellant.
Shri Akhil Agrawal, P.L. appears for the State/respondent No.2

ORAL ORDER
(Passed on 01.11.2007)

Heard on I.A.No. 1 for condonation of delay of 1898 days in filing this appeal.

2. Learned counsel for the appellant did not dispute that the appellant/defendant was represented by counsel in both the Courts below. The application itself shows that the appellant had also applied for certified copy of the order passed by the lower appellate Court. The medical certificate filed by the appellant also indicates that he was also regularly visiting doctor's clinic and that the treatment was not continuous but intermittent. No good ground is shown for condonation of enormous delay in filing the Second Appeal.

3. I.A.No.1 for condonation of delay is dismissed. As a result, the appeal is also dismissed as barred by limitation. No order as to costs.

Sd/-
Dilip Raosaheb Deshmukh
Judge